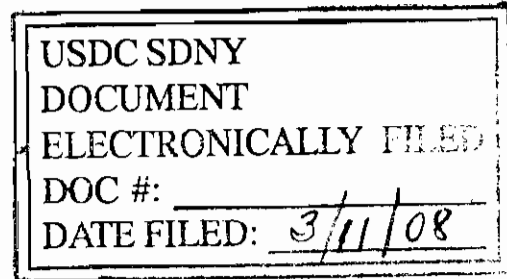


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



JOSE GARCIA

Petitioner,

-against-

UNITED STATES OF AMERICA,

Respondent.

06 Civ. 3115 (RJH) (GWG)

ORDER

On December 13, 2007, Magistrate Judge Gorenstein issued a Report and Recommendation ("the Report") in this case recommending that the petition for a writ of habeas corpus under 28 U.S.C. § 2255 be denied as moot. In the absence of objections, the Court reviews the Report for clear error. *See Edwards v. Fischer*, 414 F. Supp. 2d 342, 346–47 (S.D.N.Y. 2006). Finding none, the Court adopts the Report and denies the petition as moot.

SO ORDERED.

Dated: New York, New York
March 3, 2008

A handwritten signature in black ink, appearing to read "Richard J. Holwell", written over a horizontal line.

Richard J. Holwell
United States District Judge